

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RONALD G. JOHNSON,)	
)	CASE NO. 4:19CV2198
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
B.O.S.C. CHIEF BOWERS, <i>et al.</i> ,)	
)	<u>MEMORANDUM OF OPINION</u>
Defendants.)	<u>AND ORDER</u>

Pro Se Plaintiff Ronald G. Johnson, an Ohio prisoner, has filed this action under [42 U.S.C. § 1983](#) against Ohio Bureau of Sentence Computation (“BOSC”) Chief Liann Bower and Assistant Ohio Attorney General M. Scott Criss. In his Complaint ([ECF No. 1](#)), Plaintiff complains Defendants are liable to him for miscalculating his state criminal sentences, and he seeks compensation for seven years of “duplicate” sentences on which he contends he is being falsely imprisoned. [ECF No. 1 at PageID #: 5](#).

Plaintiff has already challenged (on the same grounds) the computation of his state criminal sentences in a prior prisoner civil rights action filed in this Court. *See* [Johnson v. Bower, et al., No. 4:18CV0486 \(N.D. Ohio filed March 2, 2018\)](#). The Court dismissed the prior case and explained: “[T]o the extent Plaintiff seeks damages for what he claims is wrongful incarceration” in connection with alleged duplicate sentences, his action is barred by the Supreme Court’s decision in [Heck v. Humphrey, 512 U.S. 477 \(1994\)](#), which requires a plaintiff to show that a challenged sentence has already been reversed on appeal in the Ohio courts or called into

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question by a writ of habeas corpus. [Memorandum of Opinion and Order \(ECF No. 5 in No. 4:18CV0486\) at PageID #: 43-44.](#)

District courts are required under [28 U.S.C. § 1915A](#) to review all complaints filed in federal court in which a prisoner seeks redress from a governmental officer or employee, and to dismiss before service any such complaint that the court determines is frivolous or malicious, fails to state a claim upon which relief can be granted or seeks monetary relief from a defendant who is immune from such relief. [Hill v. Lappin, 630 F.3d 468, 470-71 \(6th Cir. 2010\).](#)

The Court finds the Complaint ([ECF No. 1](#)) in the case at bar must be dismissed. As in his prior action, the allegations in the Complaint ([ECF No. 1](#)) do not suggest that the state sentences he challenges have been reversed on direct appeal or called into question in any of the ways articulated in *Heck*. Accordingly, this Complaint ([ECF No. 1](#)) fails to allege any plausible damages claim upon which Plaintiff may be granted relief.

Accordingly, this action is dismissed pursuant to [28 U.S.C. § 1915A](#). The Court certifies pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#) that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

January 31, 2020
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge